

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

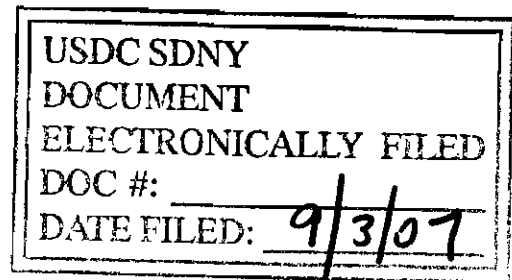
MICHAEL R. RAY,

Plaintiff,

-against-

CHECK PROCESSING BUREAU, AGENT  
LEWIS, and JOHN DOE,

Defendants.



07 Civ. 10567 (RJH) (RLE)

**ORDER**

Plaintiff's motion for a default judgment [10] is DENIED. Federal Rules of Civil Procedure 4(h)(1)(A), 4(e)(1), and New York's Civil Practice Law and Rules § 308(2) require plaintiffs who effect service by delivering a summons to a person of suitable age and discretion at the actual place of business ALSO TO MAIL—WITHIN 20 DAYS OF THE DELIVERY—THAT SUMMONS BY FIRST CLASS MAIL IN AN ENVELOPE CONFORMING TO § 308(2). Plaintiff has not provided an affidavit attesting to a mailing of the summons and complaint within 20 days of the delivery, and therefore such service is deficient. If plaintiff has any questions about the meaning of this order or how he should proceed, plaintiff should contact the Pro Se Office by mail, at U.S. Courthouse, 500 Pearl Street, New York, New York, 10007-1312, or by telephone, at (212) 805-0175.

SO ORDERED.

Dated: New York, New York  
August 26, 2008

A handwritten signature in black ink, appearing to read 'R. J. Holwell', written over a horizontal line.

Richard J. Holwell  
United States District Judge